

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 C 2468	DATE	7/9/2003
CASE TITLE	Ann Frances Gelso vs. Michael Sheahan, et al		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due ____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ Local Rule 41.1 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Order. With those admissions and that denial having properly addressed the corresponding Complaint allegations are meaningless surplusage as well, and are accordingly stricken from the Answer. All that will remain in each instance is the admission or denial of the complaint's allegations, as the case may be.

- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input checked="" type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials	U.S. DISTRICT COURT CLERK'S OFFICE JUL 10 2003 10:44 AM 6-7878	number of notices	Document Number 10
			JUL 10 2003 date docketed	
			Cgm docketing deputy initials	
			7/9/2003 date mailed notice	
			SN	
SN		Date/time received in central Clerk's Office	mailing deputy initials	

ANN FRANCES GELSO,

V.

Defendants.

No. 03 C 2468

JUL 10 2003

Answer ¶2 then goes on to refer to that legal conclusion as relating to the construction of the statute cited in Complaint ¶2, while the other two responses characterize the conclusion as being "as to the specifics and the scope of defendants' duties

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under the law." But then having done that, Answer ¶2 goes on to admit the allegations of Complaint ¶2, while Answer ¶¶13 and 14 admit the corresponding Complaint allegations as to defendant Sheriff Michael Sheahan, and to deny those allegations as to the Sheriff's Director of Operations James Ryan.

With those admissions and that denial having properly addressed the corresponding Complaint allegations (see Fed. R. Civ. P. 8(b)), the purported objections (which are really irrelevant as a matter of law, see App. ¶2 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001)) are meaningless surplusage as well, and are accordingly stricken from the Answer. All that will remain in each instance is the admission or denial of the Complaint's allegations, as the case may be.



Milton I. Shadur
Senior United States District Judge

Date: July 9, 2003